

CC  
OF



COPY OF PAPERS  
ORIGINALLY FILED

03CO \$  
Box Seq-

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

Application Number 09/902,517

Filing Date 9 July 2001

First Named Inventor Jeffrey S. SEILHAMER, et al.

Group Art Unit 1635

Examiner Name Not yet assigned

Attorney Docket No. 219002025213

## ENCLOSURES (check all that apply)

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                              | <input type="checkbox"/> Assignment Papers  | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Fee Attached   | <input checked="" type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input checked="" type="checkbox"/> Amendment / Reply                                 | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declarations                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input checked="" type="checkbox"/> Extension of Time Request                         | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                                  | <input type="checkbox"/> Terminal Disclaimer  | Return Postcard  |
| <input type="checkbox"/> Information Disclosure Statement                             | <input type="checkbox"/> Request for Refund   | Paper Copy of Sequence Listing   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                       | <input type="checkbox"/> CD, Number of CD(s) _____                                      | CFR copy of Sequence Listing   |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application |   | Abstract   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53(b)       |   | Copy of Notice to File Corrected Application Papers  |

Remarks

COPY OF PAPERS  
ORIGINALLY FILED

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name  
Kate H. Murashige, Registration No. 29,959  
3811 Valley Centre Drive, Suite 500  
San Diego, CA 92130  
Morrison & Foerster LLP

Signature

*[Handwritten Signature]* Reg No 39183 for Kate Murashige

Date

November 13, 2001

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 13, 2001.

*[Handwritten Signature]*  
Tami M. Procopio

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL FOR FY 2001

Complete if Known

Application Number 09/902,517  
Filing Date 9 July 2001  
First Named Inventor Jeffrey J. SEILHAMER, et al.  
Examiner Name Not yet assigned  
Group Art Unit 1635  
Attorney Docket No. 219002025213

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$110.00

COPY OF PAPERS  
ORIGINALLY FILED

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952

Deposit Account Name Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 710             | 201            | 355             | Utility filing fee     |          |
| 106            | 320             | 206            | 160             | Design filing fee      |          |
| 107            | 490             | 207            | 245             | Plant filing fee       |          |
| 108            | 710             | 208            | 355             | Reissue filing fee     |          |
| 114            | 150             | 214            | 75              | Provisional filing fee |          |

SUBTOTAL (1) (\$)

### EXTRA CLAIM FEES

|                          | Extra Claims | Fee from below | Fee Paid |
|--------------------------|--------------|----------------|----------|
| Legal Claims - 20 =      | x            | = \$           |          |
| Independent Claims - 3 = | x            | = \$           |          |
| Multiple Dependent       | 1            | = \$           |          |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   |
|----------------|-----------------|----------------|-----------------|---|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                    |
| 102            | 80              | 202            | 40              | Independent claims in excess of 3                         |
| 104            | 270             | 204            | 135             | Multiple dependent claims, if not paid                    |
| 109            | 80              | 209            | 40              | **Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105            | 130             | 205            | 65              | Surcharge - late filing fee or oath                              |          |
| 127            | 50              | 227            | 25              | Surcharge - late provisional filing fee or cover sheet           |          |
| 139            | 130             | 139            | 130             | Non-English specification  |          |
| 147            | 2,520           | 147            | 2,520           | For filing a request for ex parte reexamination                  |          |
| 112            | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action           |          |
| 113            | 1,840*          | 113            | 1,840*          | Requesting publication of SIR after Examiner action              |          |
| 115            | 110             | 215            | 55              | Extension for reply within first month                           | 110      |
| 116            | 390             | 216            | 195             | Extension for reply within second month                          |          |
| 117            | 890             | 217            | 445             | Extension for reply within third month                           |          |
| 118            | 1,390           | 218            | 695             | Extension for reply within fourth month                          |          |
| 128            | 1,890           | 228            | 945             | Extension for reply within fifth month                           |          |
| 119            | 310             | 219            | 155             | Notice of Appeal   |          |
| 120            | 310             | 220            | 155             | Filing a brief in support of an appeal                           |          |
| 121            | 270             | 221            | 135             | Request for oral hearing   |          |
| 138            | 1,510           | 138            | 1,510           | Petition to institute a public use proceeding                    |          |
| 140            | 110             | 240            | 55              | Petition to revive - unavoidable                                 |          |
| 141            | 1,240           | 241            | 620             | Petition to revive - unintentional                               |          |
| 142            | 1,240           | 242            | 620             | Utility issue fee (or reissue)                                   |          |
| 143            | 440             | 243            | 220             | Design issue fee   |          |
| 144            | 600             | 244            | 300             | Plant issue fee  |          |
| 122            | 130             | 122            | 130             | Petitions of the Commissioner                                    |          |
| 123            | 50              | 123            | 50              | Petitions related to provisional applications                    |          |
| 126            | 180             | 126            | 180             | Submission of Information Disclosure Stmt                        |          |
| 581            | 40              | 581            | 40              | Recording each patent assignment                                 |          |
| 146            | 710             | 246            | 355             | Filing a submission after final rejection (37 CFR § 1.129(a))    |          |
| 149            | 710             | 249            | 355             | For each additional invention to be examined (37 CFR § 1.129(b)) |          |
| 179            | 710             | 279            | 355             | Request for Continued Examination (RCE)                          |          |
| 169            | 900             | 169            | 900             | Request for expedited examination of a design application        |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$110.00)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Kate H. Murashige Registration No. 29,959 Telephone (858) 720-5112  
Signature [Signature] Date November 13, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

COPY PAPERS  
ORIGINALLY FILED

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/902,517         | 07/09/2001          | J. Jeffrey Seilhamer  | 219002025213           |

25225  
MORRISON & FOERSTER LLP  
3811 VALLEY CENTRE DRIVE  
SUITE 500  
SAN DIEGO, CA 92130-2332



CONFIRMATION NO. 7422

## FORMALITIES LETTER



\*OC000000006413907\*

Date Mailed: 08/13/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - are not on the correct size paper (see 37 CFR 1.84(f)) The size of the sheets on which drawings are made must be either 21.0 cm. by 29.7 cm. (DIN size A4) or 21.6 cm. by 27.9 cm (8 ½ by 11 inches);
- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

*A copy of this notice MUST be returned with the reply.*

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY OF PAPERS  
ORIGINALLY FILED

PATENT  
Docket No. 219002025213

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on November 13, 2001.

*Tami M. Procopio*  
Tami M. Procopio

#6.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Jeffrey S. SEILHAMER, et al.

Serial No.: 09/902,517

Filing Date: 9 July 2001

For: IMMUNOASSAYS FOR HUMAN AND  
CANINE BRAIN NATRIURETIC  
PEPTIDE

Examiner: To Be Assigned

Group Art Unit: 1635

**SUBMISSION OF SUBSTITUTE DRAWINGS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In complete response to the Notice to File Corrected Application Papers Under  
37 C.F.R. § 1.84 dated 13 August 2001, attached please find 15 sheet(s) of substitute drawings in  
connection with the above-identified application.

Respectfully submitted,

Dated: November 13, 2001

By:

Q A J Reg No 39183  
f Kate H Murashige  
Registration No. 29,959

Morrison & Foerster LLP  
3811 Valley Centre Drive  
Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-5112  
Facsimile: (858) 720-5125